



**Forest Preserve District of Cook County
Board of Commissioners**

Minutes of the Real Estate Committee

Tuesday, November 13, 2018

10:50 AM

**Cook County Building, Board Room
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

PUBLIC TESTIMONY

Chairman Moore asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code, Sec. 2-107(dd)

No speakers

18-0456

COMMITTEE MINUTES

Approval of the minutes from the meeting of 10/16/2018

A motion was made by Commissioner Goslin, seconded by Commissioner Silvestri, to approve 18-0456. The motion carried by the following vote:

Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

Sponsored by: TONI PRECKWINKLE (President), Forest Preserve District of Cook County Board of Commissioners

PROPOSED RESOLUTION

AUTHORIZING THE TRANSFER OF REAL ESTATE FROM THE FOREST PRESERVE DISTRICT OF COOK COUNTY TO THE COUNTY OF COOK

WHEREAS, the Forest Preserve District of Cook County, an Illinois Special District (“District”), is the owner of real estate located in Rosemont, Cook County, Illinois, legally described on Exhibit A (“District Real Estate”); and

WHEREAS, the County of Cook, a body politic and corporate of the State of Illinois (“County”), is the owner of property adjacent to the District Real Estate; and

WHEREAS, the County desires to obtain title to the District Real Estate for the public purpose of improving the land to the extent permitted by law; and

WHEREAS, the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 22/1 *et seq.* authorize and encourage the intergovernmental cooperation set forth in this Resolution; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of the transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*, this Resolution is conditioned upon the County adopting an Ordinance which declares that it is necessary or convenient for the County to use, occupy or improve the District Real Estate for the aforementioned public purposes and the Ordinance shall further declare that the County is authorized by law to receive title to the District Real Estate and will accept any transfer of title to the District Real Estate made by the District to the County; and

WHEREAS, the District’s Board of Commissioners hereby finds and determines that the transfer of the District Real Estate to the County is in the best interests of the District and the District’s Board of Commissioners hereby authorizes and directs that such transfer shall proceed as set forth in the instant Resolution notwithstanding the terms, conditions and procedures of Title 2, Chapter 5 Code of Ordinances of the District; and

WHEREAS, the District adopts this Resolution, by a vote of two-thirds or more of its members, which Resolution authorizes the conveyance of the District Real Estate to the County for nominal consideration, pursuant to its statutory authority, including the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF

FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS AS FOLLOWS:

Section 1:

The foregoing recitals are incorporated herein as findings of the Board of Commissioners of the Forest Preserve District of Cook County, Illinois.

Section 2:

The President of the Forest Preserve District of Cook County Board of Commissioners is hereby authorized to execute on behalf of the District, a quit claim deed conveying the District Real Estate to the County, subject to any covenants, conditions and restrictions contained therein, which quit claim deed shall be attested and delivered by the appropriate District officials.

Section 3:

The President of the Forest Preserve District of Cook County Board of Commissioners and the General Superintendent of the District are hereby authorized to execute and deliver any and all other documents or instruments and take any and all steps necessary or desirable to effectuate such conveyance.

Section 4:

This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

EXHIBIT A

DISTRICT REAL ESTATE

LEGAL DESCRIPTION

THAT PART OF LOT 1 IN THE SUPERIOR COURT PARTITION OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE RECORDED PLAT OF SAID PARTITION FILED AND APPROVED IN THE SUPERIOR COURT, CASE NO. 502088 IN COOK COUNTY, ILLINOIS, AND THAT PART OF LOT B IN THE SUBDIVISION OF LOTS 18, 40 AND PART OF LOT 19 IN THE ASSESSOR'S SUBDIVISION OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE MAP THEREOF RECORDED NOVEMBER 1, 1894 IN BOOK 61 OF PLATS, PAGE 29, AS DOCUMENT 2126709, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SECTION 3, A DISTANCE OF 200.00 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 08 DEGREES 12 MINUTES 04 SECONDS WEST ON A BEARING BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD '83 (2011), EAST

ZONE, TO A POINT ON THE SOUTH LINE OF LOT 1 IN SAID SUPERIOR COURT PARTITION, WHICH IS 380.42 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE CONTINUING NORTH 08 DEGREES 12 MINUTES 04 SECONDS WEST, 25.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 08 DEGREES 12 MINUTES 04 SECONDS WEST, 108.32 FEET TO THE SOUTHERLY LINE OF AN ILLINOIS STATE TOLL HIGHWAY AUTHORITY PARCEL TAKEN IN CONDEMNATION CASE NO. 57S12299 AS PARCEL N-8A-137.1; THENCE SOUTH 67 DEGREES 04 MINUTES 44 SECONDS EAST ALONG SAID

SOUTHERLY LINE, 117.50 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE SOUTH 83 DEGREES 49 MINUTES 54 SECONDS EAST ALONG SAID SOUTHERLY LINE, 52.31 FEET; THENCE SOUTH 68 DEGREES 55 MINUTES 08 SECONDS WEST, 155.17 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID PARCEL CONTAINING 7,308 SQUARE FEET, OR 0.168 ACRE, MORE OR LESS.

A motion was made by Commissioner Silvestri, seconded by Commissioner Boykin, to approve 18-0408. The motion carried by the following vote:

Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

18-0411

Sponsored by: TONI PRECKWINKLE (President), Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE

TO CREATE A FOREST PRESERVE NEAR OAK FOREST HERITAGE PRESERVE

AN ORDINANCE CREATING A FOREST PRESERVE in part of Fractional Section 22, Township 36 North, Range 13 East of the Third Principal Meridian, all in Cook County, Illinois near Oak Forest Heritage Preserve in District 5.

WHEREAS, The Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois, pursuant to the statutes in such case made and provided, has from time to time acquired by purchase, condemnation, gift, grant, or devise, lands necessary and desirable for Forest Preserve purposes containing one or more natural forests or parts thereof, or lands connecting such forests or parts thereof, or lands capable of being reforested for the purpose of protecting and preserving the flora, fauna, and scenic beauties within the Forest Preserve District of Cook County, Illinois, and to restore, restock, protect, and preserve the natural forests and said lands together with their flora and fauna, as nearly as

may be, in their natural state and condition, for the purpose of the education, pleasure, and recreation of the public; and

WHEREAS, the said Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois also has acquired in like manner lands for the consolidation of such preserves into unit areas of a size and form convenient and desirable for public use and economical maintenance and improvement, and lands for the purpose of connecting such preserves with forested ways or links in order to increase their accessibility, use, and enjoyment, and lands for improvement by forestation, roads, and pathways; and

WHEREAS, the said Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois has in a like manner acquired lands along water courses or elsewhere which, in their judgment, were required to control drainage and water conditions and necessary for the preservation of

forested areas acquired or to be acquired as preserves and lands for the purpose of extension of roads and forested ways around and by such preserves and for parking space for automobiles and other facilities not requiring forested areas but incidental to the use and protection thereof; and

WHEREAS, there are other lands and premises hereinafter described, all of which are situated within the boundaries of the Forest Preserve District of Cook County, Illinois, which are necessary and desirable for the lawful uses and purposes of the Forest Preserve District of Cook County, Illinois, as hereinabove set forth, and also are of the character and nature of the lands which the statutes of the State of Illinois authorizes and empow-ers it to acquire; and

WHEREAS, by Ordinance dated December 17, 1973, the Forest Preserve District of Cook County, Illinois created a Forest Preserve in the undeveloped portions of the Oak Forest Hospital Campus, declaring *“the land is rolling in terrain, contains wetland and a marsh area and should be preserved as open space land . . . [A]cquisition by the Forest Preserve district will guarantee its open space status for posterity”*;

WHEREAS, despite the passage of an Ordinance in 1973 creating a Forest Preserve in certain undeveloped portions of the Oak Forest Hospital Community, the Forest Preserve District of Cook County, Illinois believes passage of this ordinance is necessary to ensure compliance with the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*, which provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, the Forest Preserve District of Cook County, Illinois recently reached an agreement with the County of Cook to acquire a parcel of land located adjacent to Oak Forest Hospital, consisting of approximately 1.305 acres (“Property”) as described in Exhibit A attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED by the Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois as follows:

Section 1. That a unified Forest Preserve be and the same is hereby created within the Forest Preserve District of Cook County, Illinois (“District”), which shall contain and connect lands now owned and lands to be acquired in substantial accordance with the plat now on file in the office of the General Superintendent of the District, which by reference is hereby made part thereof, and for the purposes of said Forest Preserve and for the carrying out of the statutory purposes more particularly set out in the preamble of this ordi-nance, it is necessary and desirable for the District to own and it shall acquire property hereinafter described in Section 2 of this ordinance, for the purpose of creating a Forest Preserve and for Forest Preserve uses.

Section 2. That the Property referred to in Section 1 of this ordinance is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

Section 3. The Board hereby determines that the acquisition of the Property from the County of Cook (“County”) is in the public interest. The Board hereby authorizes the Acquisition of the Property from the County by quit claim deed, for nominal consideration, for the public purposes of preserving the existing land in an appropriate manner and as required by applicable laws and protecting and preserving the flora,

fauna and scenic beauties, in accordance with the District's authority. Such acquisition shall be subject only to restrictions, covenants and easements shown of record and shall be "as is" without warranties of any sort.

Section 4. The Board hereby authorizes the President or her designee to execute any and all documents necessary to effectuate the acquisitions described herein in accordance with customary terms and conditions, subject to this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS; DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 88 DEGREES 07 MINUTES 07 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 22, A DISTANCE OF 2656.76 FEET TO THE EAST LINE OF THE WEST 2656.75 FEET OF SAID NORTH HALF OF SECTION 22; THENCE SOUTH 02 DEGREES 02 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE 741.51 FEET TO THE POINT OF BEGINNING; THENCE

CONTINUING SOUTH 02 DEGREES 02 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE 110.00 TO THE SOUTH LINE OF THE NORTH 851.51 FEET OF SAID SECTION 22; THENCE SOUTH 88 DEGREES 07 MINUTES 07 SECONDS WEST ALONG SAID SOUTH LINE 660.00 FEET TO THE EAST LINE OF THE WEST 1996.75 FEET OF SAID NORTH HALF OF SECTION 22; THENCE SOUTH 02 DEGREES 02 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE 100.00 FEET; THENCE SOUTH 88 DEGREES 07 MINUTES 07 SECONDS WEST 45.00 FEET; THENCE NORTH 31 DEGREES 04 MINUTES 49 SECONDS WEST 120.26; THENCE NORTH 88 DEGREES 07 MINUTES 07 SECONDS EAST 234.00 FEET; THENCE NORTH 53 DEGREES 40 MINUTES 50 SECONDS EAST 100.00 FEET; THENCE NORTH 67 DEGREES 12 MINUTES 49 SECONDS EAST 100.00 FEET; THENCE NORTH 80 DEGREES 47 MINUTES 02 SECONDS EAST 100.00 FEET; THENCE NORTH 88 DEGREES 07 MINUTES 07 SECONDS EAST 254.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1.305 ACRES (56,836 SQ. FT.) MORE OR LESS.

PART OF PIN: 28-22-100-001

Effective date: This ordinance shall be in effect immediately upon adoption

A motion was made by Commissioner Silvestri, seconded by Commissioner Suffredin, to approve 18-0411. The motion carried by the following vote:

Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

18-0426

Sponsored by: LARRY SUFFREDIN, PETER N. SILVESTRI and EDWARD M. MOODY, Forest Preserve District of Cook County Board of Commissioners

PROPOSED LICENSE REQUEST

Request: Requesting authorization for the Forest Preserve District of Cook County (“the Preserves”), as Licensor to grant a License to the Morton Grove-Niles Water Commission, Grantee, to locate, operate and maintain a 20 inch ductile water transmission main located at the east of West Niles Terrace and the west end of Jarvis Ave., and Oakton Street between North Caldwell Ave. and Natchez Ave.

Term: 10 years

License Fee: \$51,429.75

License Application Fee: \$500.00

YELAR Fee: \$6,300.00

Total one-time upfront fee of \$65,229.75 for the term of the License
(Sec. 5-2A-4 and 5-2B-4)

Tree Mitigation Fee: \$N/A

The area of the License is: .6123 Acre(s)

Concurrence(s):

Pending review and approval by the Chief Financial Officer and Chief Attorney.

Grantee shall have to meet the insurance requirements under the License Agreement.

The Forest Preserves staff will review the license application and plans, and consider whether to make a recommendation.

District(s): 13

A motion was made by Commissioner Daley, seconded by Commissioner Suffredin, to accept a substitute 18-0426. The motion carried by the following vote:

Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

PROPOSED SUBSTITUTE TO FILE 18-0426

Sponsored by: LARRY SUFFREDIN and PETER N. SILVESTRI, Forest Preserve District of Cook County Board of Commissioners

PROPOSED LICENSE REQUEST

Request: Requesting authorization for the Forest Preserves of Cook County (the “Forest Preserves”), as Licensor to grant a License to the Morton Grove - Niles Water Commission (the “MGNWC”), Grantee, to locate, operate and maintain 1,778 linear feet of 20 inch ductile iron water main on Forest Preserves property at Miami Woods, St. Paul Woods, and the North Branch Preserves. The water main will be installed by directional bore under the North Branch Chicago River at two locations, one at Niles Terrace in the Village of Niles, and one along the north side of Oakton Street in the Village of Morton Grove and will provide a redundant supply of water to both villages.

In addition to the standard license fees, MGNWC shall (1) provide funding for an onsite Forest Preserves’ Construction Inspector/Owner’s Representative selected by or provided by the Forest Preserves; (2) provide signage, approved by the Forest Preserves, at the entrance and near St. Paul Woods; and (3) contribute a one-time upfront payment of \$256,847.00 to the Forest Preserves. These aforementioned payments are in addition to the License Fee, License Application Fee, License Review Fees, YELAR Fee and Tree Mitigation Fee.

Term: Ten (10) Years

License Fee: \$51,429.75

License Application Fee: \$500.00

License Review Fees: \$7,000.00

YELAR Fee: \$6,300.00

Total one-time upfront fee of \$65,229.75 for the term of the License
(Sec. 5-2A-4 and 5-2B-4)

Tree Mitigation Fee: Impacted trees will be compensated for according to the Forest Preserves’ Tree Mitigation Plan

The area of the License is: 0.612 Acre

Concurrence(s):

Final agreement is subject to Chief Financial Officer and Chief Attorney approval.

Grantee will meet the insurance requirements under the License Agreement.

The Forest Preserves staff have reviewed this license application and plans and have found them to be acceptable; therefore, it is recommended that the Forest Preserves of Cook County Board of Commissioners approve the issuance of this license.

District(s): 13

A motion was made by Commissioner Suffredin, seconded by Commissioner Deer, to recommend for approval as substituted 18-0426. The motion carried by the following vote:

Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

ADJOURNMENT

A motion was made by Commissioner Deer, seconded by Commissioner Daley, to adjourn the meeting. The motion carried by the following vote:

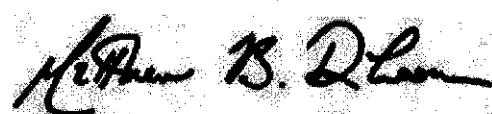
Ayes: Moody, Arroyo, Boykin, Daley, Deer, Fritchey, Gainer, Goslin, Morrison, Schneider, Silvestri, Sims, Suffredin and Tobolski (14)

Absent: Moore, Butler and García (3)

Respectfully submitted,



Chairman



Secretary

A complete record of this meeting is available at <https://fpdcc.legistar.com>.